

Channing J. Hartelius
HARTELIUS LAW CENTER
104 2nd Street South, Suite 402
P.O. Box 1024
Great Falls, MT 59403
Telephone (406) 788-0035
Facsimile: (406) 731-3856
Email: channing@harteliuslaw.com

Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
GREAT FALLS DIVISION

CATHLEEN DWYER and DANIEL DWYER,

Plaintiff,

vs.

GK DEVELOPMENT, INC dba HOLIDAY
VILLAGE MALL and JOHN DOES 1 - 5

Defendants.

Cause No. CV-22-01-GF-BMM-JTJ

**COMPLAINT AND
DEMAND FOR JURY TRIAL**

COMES NOW the Plaintiff, Cathleen Dwyer, and for her Complaint, alleges as follows:

GENERAL ALLEGATIONS

1, Plaintiffs are and were at all times relevant residents of Cascade County, Montana.

2. Plaintiff is informed and believes that Defendant GK Development is and was at all times relevant hereto, a foreign business conducting business as Holiday Village Mall in Great Falls, Cascade County, Montana.

3. Defendants John Does 1 through 5, are unknown to Plaintiff, at this time, but may be liable for the damages to the Plaintiff. When the Plaintiff has more information a motion to add parties will be made.

4. The Court has jurisdiction in the Defendant GK Development, Inc., dba Holiday Village Mall is an out of state corporation and the claim exceeds \$75,000.00.

NEGLIGENCE,

5. Plaintiff realleges the allegations contained in paragraphs 1 through 4.

6. On or about January 25, 2019, Plaintiff Cathleen Dwyer was injured when she slipped on snow covered ice that had accumulated on the curb.

7. Defendant GK Development, Inc., dba Holiday Village Mall was notified of the incident.

8. Plaintiff Cathleen Dyer was an invited guest on the GK Development, Inc., dba Holiday Village Mall property.

9. Defendant GK Development, Inc., dba Holiday Village Mall, was negligent in leaving accumulated ice buildup on the curb and parking lot.

10. Defendant GK Development, Inc., dba Holiday Village Mall, was negligent in not properly maintaining the curb and parking lot allowing ice accumulation.

11. Defendant GK Development, Inc., dba Holiday Village Mall, was negligent in failing to maintain the property in a reasonably safe condition.

12. Plaintiff was injured as a result of the incident.

13. As a result of her injuries, Plaintiff Cathleen Dwyer has incurred medical bills, pain and suffering, emotional distress, has had her course of life altered, and has had her enjoyment of life diminished.

14. As a result of the incident, Plaintiff Daniel Dwyer has suffered damages in the form of emotional distress, loss of consortium, aid, assistance,

affection, and society of his wife, Cathleen Dwyer.

Wherefore, Plaintiffs Pray:

1. For an award for all general and special damages to be decided by a jury as to Cathleen Dwyer;
2. For an award for all general damages as to loss of consortium, and emotional distress as to Daniel Dwyer;
3. For costs and attorney fees; and
4. For all other relief the Court deems appropriate.

JURY DEMAND

Plaintiff demands a trial by jury.

DATED this 5 day of January, 2022.



Hartelius Law Center
By: Channing J. Hartelius